

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:05CR3087
)	
ROBERT SIMONES,)	
)	
Defendant.)	

ORDER

THIS MATTER comes before the Court on defendant's Unopposed Motion to Continue Trial, filing 21, for approximately 45 to 60 days after October 11, 2005. The Court, being fully advised in the premises, and noting that the government has no objection to said continuance, finds that said motion should be granted.

IT IS THEREFORE ORDERED that the defendant's trial shall be continued until December 12, 2005, at 9:00 a.m. The defendant is ordered to appear at said time. This Court further finds that, based upon the showing set forth in defendant's motion, the ends of justice will be served by continuing defendant's trial. Further, that taking such action outweighs the best interests of the public and the defendant in a speedy trial. Accordingly, the time from September 28, 2005, until December 12, 2005, shall be excludable time pursuant to 18 U.S.C. §3161(h)(8)(A).

Dated this 28th day of September, 2005.

BY THE COURT

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge